

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22323 of 2018

Arising Out of PS.Case No. -32 Year- 2016 Thana -KOTHIGRAM District- GAYA

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Manoj Kumar @ Manoj Prasad, son of Kailash Mahto @ Kailash Prasad,
resident of Village- Akauni, P.S.- Kothi, District- Gaya.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kunwar Narayan Jamuar, Advocate.

For the Opposite Party/s : Mr. Sanjay Kumar Pandey, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 25-06-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Kothi P.S.**

Case No. 32 of 2016, instituted for the offence under Sections 279
and 304/34 of the Indian Penal Code.

It is alleged in the written report that while son of the informant had gone for call of nature, the accused persons told the son of the informant to hold electric wire, on account of which, he got current and was taken to PHC Imamganj, who subsequently, died on the way.

Learned counsel for the petitioner has submitted that there is no intention alleged in the written report that this petitioner had given electric wire to the son of the informant with intention that he may get electric current. Even, if the occurrence



is taken to be true, it is a case of accident and not any deliberate act of the petitioner.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with **Kothi P.S. Case No. 32 of 2016**, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned **Additional Chief Judicial Magistrate, Sherghati, Gaya**, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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